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## BAKER & MILLER PLLC

ATTORNEYS and COUNSELLORS

2401 PENNSYLVANIA AVENUE, NW  
SUITE 300  
WASHINGTON, DC 20037

TELEPHONE: (202) 663-7820  
FACSIMILE: (202) 663-7849

William A. Mullins

Direct Dial: (202) 663-7823  
E-Mail: [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com)

March 27, 2006

### VIA ELECTRONIC FILING

The Honorable Vernon A. Williams  
Secretary  
Surface Transportation Board  
1925 K Street, N.W.  
Washington, DC 20423-0001

### IMMEDIATE HANDLING REQUESTED

Re: STB Docket No. AB-1066X  
*Central Illinois Railroad Company – Discontinuance Of Service Exemption – In  
Peoria County, IL*

Dear Secretary Williams:

On March 23, 2006, Pioneer Industrial Railway Co. ("PIRY") filed a "Motion To Compel Discovery" ("Motion") against The Pleasure Driveway and Park District of Peoria, Illinois ("Park District"). The Motion was based upon PIRY's good faith belief that counsel for the Park District should have received the discovery propounded on February 24, 2006 and that, as of the date of the filing of the Motion, such discovery had gone unanswered. Therefore, because the discovery had been ignored, PIRY filed the Motion.

Upon receiving a copy of the Motion, counsel for the Park District, Mr. James Kinsky, promptly called me, as counsel for PIRY, to discuss the Motion. According to Mr. Kinsky, the Park District has no record of ever receiving a copy of the February 24th discovery and was not aware that it had been served with such discovery until receiving a copy of the Motion. According to Mr. Kinsky, the Park District did not respond to the discovery, as it was unaware of it.

As our records neither confirm nor deny the truth of Mr. Kinsky's assertion, I accept Mr. Kinsky's statement that neither he nor anyone else at the Park District ever received a copy of the discovery and thus was unaware that the Park District had an obligation to provide some sort of discovery response. Accordingly, PIRY hereby withdraws its Motion filed on March 23.

**Baker & Miller PLLC**

The Honorable Vernon A. Williams

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As the Park District clearly now has a copy of the discovery, which was attached to the Motion, PIRY will consider March 23, 2006 as the date on which the Park District was officially served discovery. The Park District will have fifteen (15) days to respond, or until April 7, 2006. If the Park District fails to respond or the responses are incomplete or unresponsive, PIRY reserves its right to file a new Motion To Compel discovery.

Please acknowledge filing of this Motion by return electronic receipt. If there are any questions concerning this filing, please contact me by telephone at (202) 663-7823 or by e-mail at [wmullins@bakerandmiller.com](mailto:wmullins@bakerandmiller.com).

Sincerely,



William A. Mullins

Enclosures

cc: Daniel A. LaKemper, Esq.  
All Parties of Record